

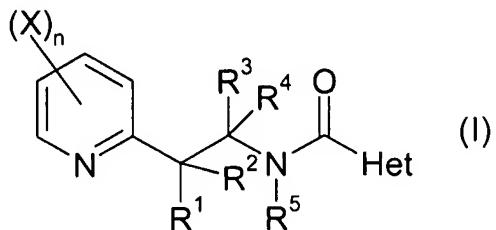
**Application Number 10/588,985**  
**Amendment dated January 5, 2010**  
**Response to Office Action dated November 16, 2009**

**Amendments to the Claims:**

This listing of claims will replace all prior versions, and listings, of claims in the application.

**Listing of Claims:**

1. (Currently Amended) A compound of formula (I):



in which:

n is 1, 2, 3 or 4;

each X is independently selected from the group consisting of a halogen atom, a nitro group, a cyano group, a hydroxy group, an amino group, a sulfanyl group, a pentafluoromethyl group, a formyl group, a formyloxy group, a formylamino group, a carboxy group, a carbamoyl group, a N-hydroxycarbamoyl group, a carbamate group, a (hydroxyimino)-C<sub>1</sub>-C<sub>6</sub>-alkyl group, a C<sub>1</sub>-C<sub>8</sub>-alkyl, a C<sub>2</sub>-C<sub>8</sub>-alkenyl, a C<sub>2</sub>-C<sub>8</sub>-alkynyl, a C<sub>1</sub>-C<sub>8</sub>-alkylamino, a di-C<sub>1</sub>-C<sub>8</sub>-alkylamino, a C<sub>1</sub>-C<sub>8</sub>-alkoxy, a C<sub>1</sub>-C<sub>8</sub>-halogenoalkoxy having 1 to 5 halogen atoms, a C<sub>1</sub>-C<sub>8</sub>-alkylsulfanyl, a C<sub>1</sub>-C<sub>8</sub>-halogenoalkylsulfanyl having 1 to 5 halogen atoms, a C<sub>2</sub>-C<sub>8</sub>-alkenyloxy, a C<sub>2</sub>-C<sub>8</sub>-halogenoalkenyloxy having 1 to 5 halogen atoms, a C<sub>3</sub>-C<sub>8</sub>-alkynyloxy, a C<sub>3</sub>-C<sub>8</sub>-halogenoalkynyloxy having 1 to 5 halogen atoms, a C<sub>3</sub>-C<sub>8</sub>-cycloalkyl, a C<sub>3</sub>-C<sub>8</sub>-halogenocycloalkyl having 1 to 5 halogen atoms, a C<sub>1</sub>-C<sub>8</sub>-alkylcarbonyl, a

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C<sub>1</sub>-C<sub>8</sub>-halogenoalkylcarbonyl having 1 to 5 halogen atoms, a C<sub>1</sub>-C<sub>8</sub>-alkylcarbamoyl, a di-C<sub>1</sub>-C<sub>8</sub>-alkylcarbamoyl, a N-C<sub>1</sub>-C<sub>8</sub>-alkyloxycarbamoyl, a C<sub>1</sub>-C<sub>8</sub>-alkoxycarbamoyl, a N-C<sub>1</sub>-C<sub>8</sub>-alkyl-C<sub>1</sub>-C<sub>8</sub>-alkoxycarbamoyl, a C<sub>1</sub>-C<sub>8</sub>-alkoxycarbonyl, a C<sub>1</sub>-C<sub>8</sub>-halogenoalkoxycarbonyl having 1 to 5 halogen atoms, a C<sub>1</sub>-C<sub>8</sub>-alkylcarbonyloxy, a C<sub>1</sub>-C<sub>8</sub>-halogenoalkylcarbonyloxy having 1 to 5 halogen atoms, a C<sub>1</sub>-C<sub>8</sub>-alkylcarbonylamino, a C<sub>1</sub>-C<sub>8</sub>-halogenoalkylcarbonylamino having 1 to 5 halogen atoms, a C<sub>1</sub>-C<sub>8</sub>-alkylaminocarbonyloxy, a di-C<sub>1</sub>-C<sub>8</sub>-alkylaminocarbonyloxy, a C<sub>1</sub>-C<sub>8</sub>-alkyloxycarbonyloxy, a C<sub>1</sub>-C<sub>8</sub>-alkylsulphenyl, a C<sub>1</sub>-C<sub>8</sub>-halogenoalkylsulphenyl having 1 to 5 halogen atoms, a C<sub>1</sub>-C<sub>8</sub>-alkylsulphanyl, a C<sub>1</sub>-C<sub>8</sub>-halogenoalkylsulphanyl having 1 to 5 halogen atoms, a C<sub>1</sub>-C<sub>8</sub>-alkylsulphonyl, a C<sub>1</sub>-C<sub>8</sub>-halogenoalkylsulphonyl having 1 to 5 halogen atoms, a C<sub>1</sub>-C<sub>6</sub>-alkoxyimino, a (C<sub>1</sub>-C<sub>6</sub>-alkoxyimino)-C<sub>1</sub>-C<sub>6</sub>-alkyl, a (C<sub>1</sub>-C<sub>6</sub>-alkenyloxyimino)-C<sub>1</sub>-C<sub>6</sub>-alkyl, a (C<sub>1</sub>-C<sub>6</sub>-alkynyloxyimino)-C<sub>1</sub>-C<sub>6</sub>-alkyl, a (benzyloxyimino)-C<sub>1</sub>-C<sub>6</sub>-alkyl, a benzyloxy, a benzylsulfanyl, a benzylamino, a phenoxy, a phenylsulfanyl and a phenylamino;

R<sup>1</sup>, R<sup>2</sup>, R<sup>3</sup> and R<sup>4</sup> are independently selected from the group consisting of a hydrogen atom, a halogen atom, a cyano group, a hydroxy group, an amino group, a sulfanyl group, a formyl group, a formyloxy group, a formylamino group, a carboxy group, a carbamoyl group, a N-hydroxycarbamoyl group, a carbamate group, a (hydroxyimino)-C<sub>1</sub>-C<sub>6</sub>-alkyl group, a C<sub>1</sub>-C<sub>8</sub>-alkyl, a C<sub>1</sub>-C<sub>8</sub>-halogenoalkyl having 1 to 5 halogen atoms, a C<sub>2</sub>-C<sub>8</sub>-alkenyl, a C<sub>2</sub>-C<sub>8</sub>-alkynyl, a C<sub>1</sub>-C<sub>8</sub>-alkylamino, a di-C<sub>1</sub>-C<sub>8</sub>-alkylamino, a C<sub>1</sub>-C<sub>8</sub>-alkoxy, a C<sub>1</sub>-C<sub>8</sub>-halogenoalkoxy having 1 to 5 halogen atoms, a C<sub>1</sub>-C<sub>8</sub>-alkylsulfanyl, a C<sub>1</sub>-C<sub>8</sub>-halogenoalkylsulfanyl having 1 to 5 halogen atoms, a C<sub>2</sub>-C<sub>8</sub>-alkenyloxy, a

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C<sub>2</sub>-C<sub>8</sub>-halogenoalkenyloxy having 1 to 5 halogen atoms, a C<sub>3</sub>-C<sub>8</sub>-alkynyloxy, a C<sub>3</sub>-C<sub>8</sub>-halogenoalkynyloxy having 1 to 5 halogen atoms, a C<sub>3</sub>-C<sub>8</sub>-cycloalkyl, a C<sub>3</sub>-C<sub>8</sub>-halogenocycloalkyl having 1 to 5 halogen atoms, a C<sub>1</sub>-C<sub>8</sub>-alkylcarbonyl, a C<sub>1</sub>-C<sub>8</sub>-halogenoalkylcarbonyl having 1 to 5 halogen atoms, a C<sub>1</sub>-C<sub>8</sub>-alkylcarbamoyl, a di-C<sub>1</sub>-C<sub>8</sub>-alkylcarbamoyl, a N-C<sub>1</sub>-C<sub>8</sub>-alkyloxycarbamoyl, a C<sub>1</sub>-C<sub>8</sub>-alkoxycarbamoyl, a N-C<sub>1</sub>-C<sub>8</sub>-alkyl-C<sub>1</sub>-C<sub>8</sub>-alkoxycarbamoyl, a C<sub>1</sub>-C<sub>8</sub>-alkoxycarbonyl, a C<sub>1</sub>-C<sub>8</sub>-halogenoalkoxycarbonyl having 1 to 5 halogen atoms, a C<sub>1</sub>-C<sub>8</sub>-alkylcarbonyloxy, a C<sub>1</sub>-C<sub>8</sub>-halogenoalkylcarbonyloxy having 1 to 5 halogen atoms, a C<sub>1</sub>-C<sub>8</sub>-alkylcarbonylamino, a C<sub>1</sub>-C<sub>8</sub>-halogenoalkylcarbonylamino having 1 to 5 halogen atoms, a C<sub>1</sub>-C<sub>8</sub>-alkylaminocarbonyloxy, a di-C<sub>1</sub>-C<sub>8</sub>-alkylaminocarbonyloxy, a C<sub>1</sub>-C<sub>8</sub>-alkyloxycarbonyloxy, a C<sub>1</sub>-C<sub>8</sub>-alkylsulphenyl, a C<sub>1</sub>-C<sub>8</sub>-halogenoalkylsulphenyl having 1 to 5 halogen atoms, a C<sub>1</sub>-C<sub>8</sub>-alkylsulphanyl, a C<sub>1</sub>-C<sub>8</sub>-halogenoalkylsulphanyl having 1 to 5 halogen atoms, a benzylsulfonyl, a benzylamino, a phenoxy, a phenylsulfanyl or a phenylamino, a phenyl group, and a phenyl sulphanyl group;

or R<sup>1</sup> and R<sup>2</sup> may form together a cyclopropyl, a cyclobutyl, a cyclopentyl or a cyclohexyl;

with the proviso that when three of the four substituents R<sup>1</sup>, R<sup>2</sup>, R<sup>3</sup> and R<sup>4</sup> are a hydrogen atom, then the fourth substituent is not a hydrogen atom;

R<sup>5</sup> is selected from the group consisting of a hydrogen atom, a cyano group, a formyl group, a hydroxy group, a C<sub>1</sub>-C<sub>6</sub>-alkyl, a C<sub>1</sub>-C<sub>6</sub>-halogenoalkyl having 1 to 5 halogen atoms, a

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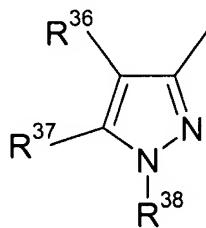
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C<sub>1</sub>-C<sub>6</sub>-alkoxy, a C<sub>1</sub>-C<sub>6</sub>-halogenoalkoxy having 1 to 5 halogen atoms, a C<sub>3</sub>-C<sub>6</sub>-cycloalkyl, a C<sub>3</sub>-C<sub>6</sub>-halogenocycloalkyl having 1 to 5 halogen atoms, a C<sub>2</sub>-C<sub>6</sub>-alkenyl, a C<sub>2</sub>-C<sub>6</sub>-alkynyl, a C<sub>1</sub>-C<sub>6</sub>-alkoxy-C<sub>1</sub>-C<sub>6</sub>-alkyl, a C<sub>1</sub>-C<sub>6</sub>-cyanoalkyl, a C<sub>1</sub>-C<sub>6</sub>-aminoalkyl, a C<sub>1</sub>-C<sub>6</sub>-alkylamino-C<sub>1</sub>-C<sub>6</sub>-alkyl, a di-C<sub>1</sub>-C<sub>6</sub>-alkylamino-C<sub>1</sub>-C<sub>6</sub>-alkyl, a C<sub>1</sub>-C<sub>6</sub>-alkylcarbonyl, a C<sub>1</sub>-C<sub>6</sub>-halogenalkylcarbonyl having 1 to 5 halogen atoms, a C<sub>1</sub>-C<sub>6</sub>-alkyloxycarbonyl, a C<sub>1</sub>-C<sub>6</sub>-benzyloxycarbonyl, a C<sub>1</sub>-C<sub>6</sub>-alkoxy-C<sub>1</sub>-C<sub>6</sub>-alkylcarbonyl, a C<sub>1</sub>-C<sub>6</sub>-alkylsulfonyl and a C<sub>1</sub>-C<sub>6</sub>-halogenoalkylsulfonyl having 1 to 5 halogen atoms;

Het represents 5-, 6- or 7-membered heterocycle with one, two or three heteroatoms which may be the same or different; Het being linked by a carbon atom and being at least substituted in the position immediately adjacent to said carbon atom linkage a substituted pyrazole ring selected from the group consisting of:

(A)



wherein:

R<sup>36</sup> is selected from the group consisting of a halogen atom, a cyano group, a nitro group, a C<sub>1</sub>-C<sub>4</sub>-alkyl, a C<sub>1</sub>-C<sub>4</sub>-halogenoalkyl having 1 to 5 halogen atoms, a C<sub>3</sub>-C<sub>6</sub>-cycloalkyl, a C<sub>1</sub>-C<sub>4</sub>-alkoxy, a C<sub>1</sub>-C<sub>4</sub>-halogenoalkoxy having 1 to 5 halogen atoms, a

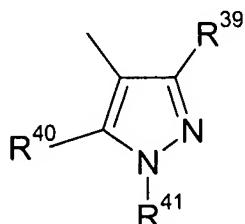
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C<sub>1</sub>-C<sub>4</sub>-alkylthio, a C<sub>1</sub>-C<sub>4</sub>-halogenoalkylthio having 1 to 5 halogen atoms, an aminocarbonyl group, and an aminocarbonyl-C<sub>1</sub>-C<sub>4</sub>-alkyl;

R<sup>37</sup> is selected from the group consisting of a hydrogen atom, a halogen atom, a cyano group, a nitro group, a C<sub>1</sub>-C<sub>4</sub>-alkyl, a C<sub>1</sub>-C<sub>4</sub>-alkoxy, and a C<sub>1</sub>-C<sub>4</sub>-alkylthio; and

R<sup>38</sup> is selected from the group consisting of a hydrogen atom, a phenyl, a C<sub>1</sub>-C<sub>4</sub>-alkyl, a C<sub>1</sub>-C<sub>4</sub>-halogenoalkyl having 1 to 5 halogen atoms, a hydroxy-C<sub>1</sub>-C<sub>4</sub>-alkyl, a C<sub>2</sub>-C<sub>6</sub>-alkenyl, a C<sub>3</sub>-C<sub>6</sub>-cycloalkyl, a C<sub>1</sub>-C<sub>4</sub>-alkylthio-C<sub>1</sub>-C<sub>4</sub>-alkyl, a C<sub>1</sub>-C<sub>4</sub>-halogenoalkylthio-C<sub>1</sub>-C<sub>4</sub>-alkyl having 1 to 5 halogen atoms, a C<sub>1</sub>-C<sub>4</sub>-alkoxy-C<sub>1</sub>-C<sub>4</sub>-alkyl, and a C<sub>1</sub>-C<sub>4</sub>-halogenoalkoxy-C<sub>1</sub>-C<sub>4</sub>-alkyl having 1 to 5 halogen atoms;

(B)



wherein:

R<sup>39</sup> is selected from the group consisting of a hydrogen atom, a halogen atom, a cyano group, a nitro group, a C<sub>1</sub>-C<sub>4</sub>-alkyl, a C<sub>1</sub>-C<sub>4</sub>-halogenoalkyl having 1 to 5 halogen atoms, a C<sub>3</sub>-C<sub>6</sub>-cycloalkyl, a C<sub>1</sub>-C<sub>4</sub>-alkoxy, a C<sub>1</sub>-C<sub>4</sub>-halogenoalkoxy having 1 to 5 halogen atoms, a C<sub>1</sub>-C<sub>4</sub>-alkylthio, a C<sub>1</sub>-C<sub>4</sub>-halogenoalkylthio having 1 to 5 halogen atoms, an aminocarbonyl, and an aminocarbonyl-C<sub>1</sub>-C<sub>4</sub>-alkyl;

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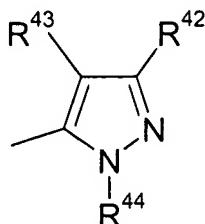
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R<sup>40</sup> is selected from the group consisting of a hydrogen atom, a halogen atom, a cyano group, a C<sub>1</sub>-C<sub>4</sub>-alkyl, a C<sub>1</sub>-C<sub>4</sub>-alkoxy, a C<sub>1</sub>-C<sub>4</sub>-halogenoalkoxy having 1 to 5 halogen atoms, and a C<sub>1</sub>-C<sub>4</sub>-alkylthio; and

R<sup>41</sup> is selected from the group consisting of a hydrogen atom, a C<sub>1</sub>-C<sub>4</sub>-alkyl, a C<sub>1</sub>-C<sub>4</sub>-halogenoalkyl having 1 to 5 halogen atoms, a hydroxy-C<sub>1</sub>-C<sub>4</sub>-alkyl, a C<sub>2</sub>-C<sub>6</sub>-alkenyl, a C<sub>3</sub>-C<sub>6</sub>-cycloalkyl, a C<sub>1</sub>-C<sub>4</sub>-alkylthio-C<sub>1</sub>-C<sub>4</sub>-alkyl, a C<sub>1</sub>-C<sub>4</sub>-halogenoalkylthio-C<sub>1</sub>-C<sub>4</sub>-alkyl having 1 to 5 halogen atoms, a C<sub>1</sub>-C<sub>4</sub>-alkoxy-C<sub>1</sub>-C<sub>4</sub>-alkyl, a C<sub>1</sub>-C<sub>4</sub>-halogenoalkoxy-C<sub>1</sub>-C<sub>4</sub>-alkyl having 1 to 5 halogen atoms, and a phenyl optionally substituted by a halogen atom, a C<sub>1</sub>-C<sub>4</sub>-alkyl, a C<sub>1</sub>-C<sub>4</sub>-alkoxyalkyl or a nitro group;

provided that the R<sup>39</sup> and R<sup>40</sup> are not both a hydrogen atom; and

(C)



wherein:

R<sup>42</sup> is selected from the group consisting of a hydrogen atom, a halogen atom, a cyano group, a nitro group, a C<sub>1</sub>-C<sub>4</sub>-alkyl, a C<sub>1</sub>-C<sub>4</sub>-halogenoalkyl having 1 to 5 halogen atoms, a C<sub>3</sub>-C<sub>6</sub>-cycloalkyl, a C<sub>1</sub>-C<sub>4</sub>-alkoxy, a C<sub>1</sub>-C<sub>4</sub>-halogenoalkoxy having 1 to 5 halogen atoms, a C<sub>1</sub>-C<sub>4</sub>-alkylthio, a C<sub>1</sub>-C<sub>4</sub>-halogenoalkylthio having 1 to 5 halogen atoms, an aminocarbonyl, and an aminocarbonyl-C<sub>1</sub>-C<sub>4</sub>-alkyl;

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R<sup>43</sup> is selected from the group consisting of a hydrogen atom, a halogen atom, a cyano group, a C<sub>1</sub>-C<sub>4</sub>-alkyl, a C<sub>1</sub>-C<sub>4</sub>-alkoxy, a C<sub>1</sub>-C<sub>4</sub>-alkylthio, and a C<sub>1</sub>-C<sub>4</sub>-halogenoalkyl having 1 to 5 halogen atoms;

R<sup>44</sup> is selected from the group consisting of a hydrogen atom, a phenyl, a benzyl, a C<sub>1</sub>-C<sub>4</sub>-alkyl, a C<sub>1</sub>-C<sub>4</sub>-halogenoalkyl having 1 to 5 halogen atoms, a hydroxy-C<sub>1</sub>-C<sub>4</sub>-alkyl, a C<sub>2</sub>-C<sub>6</sub>-alkenyl, a C<sub>3</sub>-C<sub>6</sub>-cycloalkyl, a C<sub>1</sub>-C<sub>4</sub>-alkylthio-C<sub>1</sub>-C<sub>4</sub>-alkyl, a C<sub>1</sub>-C<sub>4</sub>-halogenoalkylthio-C<sub>1</sub>-C<sub>4</sub>-alkyl having 1 to 5 halogen atoms, a C<sub>1</sub>-C<sub>4</sub>-alkoxy-C<sub>1</sub>-C<sub>4</sub>-alkyl, and a C<sub>1</sub>-C<sub>4</sub>-halogenoalkoxy-C<sub>1</sub>-C<sub>4</sub>-alkyl having 1 to 5 halogen atoms;

provided that R<sup>43</sup> and R<sup>44</sup> are not both a hydrogen atom;  
as well as its salts salt and N-oxides.

2. (Previously Presented) The compound of claim 1 wherein n is 1, 2 or 3.

3. (Previously Presented) The compound of claim 1 wherein at least one of the X substituents is selected from the group consisting of a halogen atom, a C<sub>1</sub>-C<sub>8</sub>-alkyl, a C<sub>1</sub>-C<sub>6</sub>-alkoxyimino, a (C<sub>1</sub>-C<sub>6</sub>-alkoxyimino)-C<sub>1</sub>-C<sub>6</sub>-alkyl, and a C<sub>1</sub>-C<sub>6</sub>-alkoxy-C<sub>1</sub>-C<sub>6</sub>-alkylcarbonyl.

4. (Previously Presented) The compound of claim 1 wherein the 2-pyridyl is substituted in 3-, 5- and/or in 6-position.

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5. (Previously Presented) The compound of claim 1 wherein R<sup>1</sup> and R<sup>2</sup> are independently selected from the group consisting of a hydrogen atom, a halogen atom, a cyano group, a hydroxy group, a C<sub>1</sub>-C<sub>6</sub>-alkyl, a C<sub>1</sub>-C<sub>6</sub>-halogenoalkyl having 1 to 5 halogen atoms, a C<sub>2</sub>-C<sub>6</sub>-alkenyl, a C<sub>1</sub>-C<sub>6</sub>-alkoxy, a C<sub>1</sub>-C<sub>6</sub>-alkylsulfanyl, a C<sub>1</sub>-C<sub>6</sub>-alkylsulfenyl, a C<sub>1</sub>-C<sub>6</sub>-alkylsulfinyl, a C<sub>1</sub>-C<sub>6</sub>-alkoxycarbonyl, a C<sub>1</sub>-C<sub>6</sub>-alkylcarbonylamino, a C<sub>1</sub>-C<sub>6</sub>-alkoxycarbonyloxy, a C<sub>1</sub>-C<sub>6</sub>-alkoxycarbonylamino and a phenyl group.

6. (Previously Presented) The compound of claim 5 wherein R<sup>1</sup> and R<sup>2</sup> are independently selected from the group consisting of a halogen atom, a C<sub>1</sub>-C<sub>6</sub>-alkyl, a C<sub>1</sub>-C<sub>6</sub>-halogenoalkyl having 1 to 5 halogen atoms and a C<sub>1</sub>-C<sub>6</sub>-alkylcarbonylamino.

7. (Previously Presented) The compound of claim 1 wherein R<sup>3</sup> and R<sup>4</sup> are independently selected from the group consisting of a hydrogen atom, a halogen atom, a cyano group, a C<sub>1</sub>-C<sub>6</sub>-alkyl, a C<sub>1</sub>-C<sub>6</sub>-halogenoalkyl having 1 to 5 halogen atoms, a C<sub>1</sub>-C<sub>6</sub>-alkylcarbonylamino and a phenyl group.

8. (Previously Presented) The compound of claim 7 wherein R<sup>3</sup> and R<sup>4</sup> are independently selected from the group consisting of a halogen atom, a C<sub>1</sub>-C<sub>6</sub>-alkyl, a C<sub>1</sub>-C<sub>6</sub>-halogenoalkyl having 1 to 5 halogen atoms and a phenyl group.

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9. (Previously Presented) The compound of claim 1 wherein R<sup>5</sup> is selected from the group consisting of a hydrogen atom and a C<sub>3</sub>-C<sub>7</sub>-cycloalkyl.

10 - 13 (Canceled)

14. (Previously Presented) A fungicidal composition comprising an effective amount of a compound according to claim 1 and an agriculturally acceptable support.

15. (Previously Presented) A method for combating the phytopathogenic fungi of crops comprising applying an effective and non-phytotoxic amount of the composition of claim 14 to the plant seeds or to the plant leaves and/or to the fruits of the plants or to the soil in which the plants are growing or in which it is desired to grow them.